

**U.S. District Court**  
**District of Columbia (Washington, DC)**  
**CIVIL DOCKET FOR CASE #: 1:18-cv-02346-TNM**

DEMOCRACY FORWARD FOUNDATION v. UNITED  
STATES DEPARTMENT OF VETERANS AFFAIRS  
Assigned to: Judge Trevor N. McFadden  
Cause: 05:552 Freedom of Information Act

Date Filed: 10/11/2018  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**DEMOCRACY FORWARD  
FOUNDATION**

represented by **Adam Anderson Grogg**  
DEMOCRACY FORWARD  
FOUNDATION  
1333 H Street NW  
Washington, DC 20005  
(202) 448-9090  
Email: [agrogg@democracyforward.org](mailto:agrogg@democracyforward.org)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**UNITED STATES DEPARTMENT  
OF VETERANS AFFAIRS**

represented by **Patricia K. McBride**  
U.S. ATTORNEY'S OFFICE FOR THE  
DISTRICT OF COLUMBIA  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
10/11/2018	<u>1</u>	COMPLAINT against UNITED STATES DEPARTMENT OF VETERANS AFFAIRS ( Filing fee \$ 400 receipt number 0090-5732299) filed by DEMOCRACY FORWARD FOUNDATION. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Civil Cover Sheet, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Summons)(Grogg, Adam) (Attachment 2 replaced on 10/12/2018) (zjd) (Entered: 10/11/2018)
10/11/2018	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by DEMOCRACY FORWARD FOUNDATION (Grogg, Adam) (Main Document 2 replaced on 10/12/2018) (zjd). (Entered: 10/11/2018)
10/12/2018		Case Assigned to Judge Colleen Kollar-Kotelly. (zjd) (Entered: 10/12/2018)
10/12/2018	<u>3</u>	SUMMONS (3) Issued Electronically as to UNITED STATES DEPARTMENT OF VETERANS AFFAIRS, U.S. Attorney and U.S. Attorney General. (Attachment: # <u>1</u> Notice and Consent)(zjd) (Entered: 10/12/2018)
10/12/2018	<u>4</u>	Case randomly reassigned to Judge Trevor N. McFadden. Judge Colleen Kollar-Kotelly is no longer assigned to the case. (ztnr) (Entered: 10/12/2018)
10/12/2018	<u>5</u>	STANDING ORDER Establishing Procedures for Cases Before Judge Trevor N. McFadden. The parties are hereby ORDERED to read and comply with the directives in the attached standing order. Signed by Judge Trevor N. McFadden on 10/12/2018. (lctnm2) (Entered: 10/12/2018)
10/22/2018	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 10/19/2018. (

		Answer due for ALL FEDERAL DEFENDANTS by 11/18/2018.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF VETERANS AFFAIRS served on 10/17/2018 (Attachments: # <u>1</u> Declaration)(Grogg, Adam) (Entered: 10/22/2018)
11/15/2018	<u>7</u>	ANSWER to Complaint by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS.(McBride, Patricia) (Entered: 11/15/2018)
11/15/2018	<u>8</u>	ENTERED IN ERROR..... MOTION for Extension of Time to File Answer by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS (Attachments: # <u>1</u> Text of Proposed Order)(McBride, Patricia); Modified on 11/16/2018 (tth). (Entered: 11/15/2018)
11/16/2018		NOTICE OF CORRECTED DOCKET ENTRY: re <u>8</u> MOTION for Extension of Time to File Answer was entered in the wrong case. Please refile said pleading in the correct case. (tth) (Entered: 11/16/2018)
11/19/2018	<u>9</u>	Order. The parties shall file a Joint Status Report proposing a schedule for proceeding in this matter no later than December 19, 2018. See attached order for further details. Signed by Judge Trevor N. McFadden on 11/19/2018. (lctnm2) (Entered: 11/19/2018)
11/20/2018		Set/Reset Deadlines: Joint Status Report due by 12/19/2018. (hmc) (Entered: 11/20/2018)
12/06/2018	<u>10</u>	AMENDED COMPLAINT against All Defendants filed by DEMOCRACY FORWARD FOUNDATION. (Attachments: # <u>1</u> Exhibit)(Grogg, Adam) (Entered: 12/06/2018)
12/19/2018	<u>11</u>	NOTICE of Filing Redline by DEMOCRACY FORWARD FOUNDATION re <u>10</u> Amended Complaint (Grogg, Adam) (Entered: 12/19/2018)
12/19/2018	<u>12</u>	Joint STATUS REPORT by DEMOCRACY FORWARD FOUNDATION. (Grogg, Adam) (Entered: 12/19/2018)
12/19/2018		MINUTE ORDER. Upon consideration of <u>12</u> the Parties' Joint Status Report, it is hereby ordered that the parties shall file a further Joint Status Report on or before January 16, 2019. Signed by Judge Trevor N. McFadden on 12/19/2018. (lctnm2, ) (Entered: 12/19/2018)
12/20/2018		Set/Reset Deadlines: Joint Status Report due by 1/16/2019. (hmc) (Entered: 12/20/2018)
01/10/2019	<u>13</u>	Consent MOTION to Stay , MOTION for Extension of Time to <i>in Light of Lapse in Appropriations</i> by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS (Attachments: # <u>1</u> Text of Proposed Order)(Hudak, Brian) (Entered: 01/10/2019)
01/11/2019		MINUTE ORDER granting <u>13</u> Motion to Stay; <u>13</u> Motion for Extension of Time. Upon considering the Defendant's <u>13</u> Consent Motion to Stay and for Extension of Time, it is hereby ordered that this matter shall be stayed until Congress has restored appropriations to the Department of Justice. Because the Department of Veteran's Affairs is unaffected by the ongoing lapse in appropriations, however, it shall continue to meet its processing and production obligations under the Freedom of Information Act. It is further ordered that the Defendant will notify the Court immediately upon resumption of appropriations. It is further ordered that the VA's deadline to respond to the Plaintiff's <u>10</u> Amended Complaint shall be extended nunc pro tunc. The VA shall file its response on or before 14 days after appropriations are restored to the Department of Justice. Signed by Judge Trevor N. McFadden on 1/11/2019. (lctnm2) (Entered: 01/11/2019)
02/13/2019		MINUTE ORDER. On January 11, 2019, the Court ordered the Defendant to "notify the Court immediately upon resumption of appropriations." The Defendant failed to do this. The stay in this case is hereby lifted because Congress has restored appropriations to the Department of Justice. Further, the Defendant shall respond to the Plaintiff's <u>10</u> Amended Complaint on or before February 20, 2019. The parties are hereby further ORDERED to file a Joint Status Report on or before February 27, 2019, including a proposed schedule for any further proceedings that they think are necessary. Signed by Judge Trevor N. McFadden on 2/13/2019. (lctnm2) (Entered: 02/13/2019)

02/13/2019		Set/Reset Deadlines: Defendant's response to Plaintiff's Amended Complaint due by 2/20/2019. Joint Status Report due by 2/27/2019. (hmc) (Entered: 02/13/2019)
02/19/2019	<u>14</u>	ANSWER to <u>10</u> Amended Complaint by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS.(McBride, Patricia) (Entered: 02/19/2019)
02/27/2019	<u>15</u>	Joint STATUS REPORT by DEMOCRACY FORWARD FOUNDATION. (Grogg, Adam) (Entered: 02/27/2019)
02/28/2019		MINUTE ORDER. Upon considering the parties' <u>15</u> Joint Status Report, the parties are hereby ordered to appear for a status conference before Judge Trevor N. McFadden on March 14, 2019, at 10 am in Courtroom 2. Signed by Judge Trevor N. McFadden on 02/28/2019. (lctnm2) (Entered: 02/28/2019)
02/28/2019		Set/Reset Hearings: Status Conference set for 3/14/2019 at 10:00 AM in Courtroom 2 before Judge Trevor N. McFadden. (hmc) (Entered: 02/28/2019)
03/14/2019		MINUTE ORDER. The parties are hereby ordered to adhere to the following schedule: the Defendant shall process 500 pages of records per month, and any monthly shortfall will be made up in the following month; the Defendant shall make its first production of responsive documents to the Plaintiff on or before April 30, 2019, and the Defendant shall continue to make productions by the end of every month thereafter. On or before May 8, 2019, the parties shall file a Joint Status Report updating the Court on the Defendant's processing of the Plaintiff's request and productions made by the Defendant; the parties shall file further Joint Status Reports every 60 days thereafter. SO ORDERED. Signed by Judge Trevor N. McFadden on 03/14/2019. (lctnm2) (Entered: 03/14/2019)
03/14/2019		Minute Entry for proceedings held before Judge Trevor N. McFadden: Status Conference held on 3/14/2019. Defendant's first production of responsive documents due by 4/30/2019, and by the end of every month thereafter. Joint Status Report due by 5/8/2019, and every 60 days thereafter. (Court Reporter: Elizabeth Saint-Loth.) (hmc) (Entered: 03/14/2019)